

IN THE CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

JASON BARTON, and)	
JENNIFER BARTON,)	
)	
Plaintiffs,)	
)	No.
v.)	JURY DEMAND
)	
B & S PLASTICS, INC., d/b/a WATERWAY)	
PLASTICS,)	
)	
Defendant.)	

COMPLAINT

Plaintiffs, for this cause of action against Defendant, state to the Court:

1. Plaintiff Jason Barton is a citizen and resident of Tennessee.
2. Plaintiff Jennifer Barton is a citizen and resident of Tennessee.
3. Plaintiffs are husband and wife.
4. Defendant B & S Plastics, Inc. is a for profit company incorporated under the laws of California with its principal place of business in California.
5. B & S Plastics, Inc. does business as Waterway Plastics.
6. "Waterway Plastics," in this document, refers to B & S Plastics, Inc.
7. Venue is proper under Tenn. Code Ann. § 20-4-104(3)(B) because Waterway Plastics does not have a registered agent for service of process in Tennessee, the Tennessee Secretary of State is designated by statute for service of process upon Waterway Plastics, and the Tennessee Secretary of State is located in Davidson County.
8. Waterway Plastics sells a product line of in-ground pool filters called Crystal Water Pool & Spa Filters.

9. Sometime after 2016, Waterway Plastics changed the design of its Crystal Water Pool & Spa Filters product line.

10. “Crystal Water Pool Filters,” in this document,” refers to the product line of in-ground pool filters called Crystal Water Pool & Spa Filters that begin with model number “570-,” as the product existed in 2016.

11. This is a photo of a Crystal Water Pool Filter.



12. A metal band holds the top lid to the bottom filter body.

13. Crystal Water Pool Filters house four cartridge filters inside the unit.

14. The cartridges in Crystal Water Pool Filters must be removed for regular cleaning or replacement.

15. Removing the cartridges requires removing the band and lid of Crystal Water Pool Filters.

16. This is a photo of cartridges installed in a Crystal Water Pool Filter with the lid removed.



17. Once cartridges are reinstalled, the lid, band, and bottom filter body are reconnected.
18. After reconnecting the lid, band, and bottom filter body, the unit is restarted.
19. While starting up, the pressure inside the unit increases.
20. Crystal Water Pool Filters operate under high pressure.
21. If the pressure is too high for the band to hold, the lid can explode off the unit.
22. If the lid explodes off the unit, serious injury can occur to anyone servicing it.
23. The band around a Crystal Water Pool Filter has only one bolt to hold it in place.
24. If the bolt fails, the band on a Crystal Water Pool Filter will fail as well.
25. If the band around a Crystal Water Pool Filter fails, the lid can explode off the unit.
26. The bands around Crystal Water Pool Filters, and the bolts that are supposed to hold them in place, are prone to failure.
27. Crystal Water Pool Filters include a manual air valve at the top.
28. This is a photo of a valve on a Crystal Water Pool Filter.



29. The valve is supposed to aid in bleeding unwanted air when restarting the filter.
30. The manual air valve on Crystal Water Pool Filters is too small to reliably relieve the pressure building during startup.
31. The valve is designed to be turned by hand.
32. Crystal Water Pool Filters do not alert users as to whether the valve is partially open or fully open.
33. If the valve does not relieve enough pressure during startup, the lid can explode off the unit.
34. Crystal Water Pool Filters are unreasonably dangerous and/or defective because:
 - a. the band is too prone to failure and has a single failure point – only one bolt – which can lead to the lid exploding off the unit;
 - b. the manual air valve is too small to reliably relieve pressure building during startup, which can lead to the lid exploding off the unit;
 - c. the manual air valve does not alert users as to whether the valve is open enough for air flow to reliably relieve pressure in the unit during startup, which can lead to the lid exploding off the unit; and

- d. the units pose a dangerous and unsafe risk of the lid exploding off the unit during startup and/or restart of the unit.

35. Plaintiff Jason Barton owned a Crystal Water Pool Filter.

36. On July 2, 2023, Mr. Barton replaced the cartridges in the Crystal Water Pool Filter.

37. After replacing the cartridges, Mr. Barton reassembled the lid, band, and bottom filter body, and opened the manual air valve on top of the unit.

38. Mr. Barton turned on the Crystal Water Pool Filter.

39. While the Crystal Water Pool Filter was starting up, the top lid exploded off the unit.

40. The top lid struck Mr. Barton in the face and head.

41. The explosion caused Mr. Barton multiple skull and facial fractures, a traumatic brain injury requiring brain surgery, and many other serious injuries.

42. Waterway Plastics designed Crystal Water Pool Filters.

43. Waterway Plastics engineered Crystal Water Pool Filters.

44. Waterway Plastics manufactured Crystal Water Pool Filters.

45. Waterway Plastics fabricated Crystal Water Pool Filters.

46. Waterway Plastics produced Crystal Water Pool Filters.

47. Waterway Plastics assembled Crystal Water Pool Filters.

48. Waterway Plastics was the manufacturer of Crystal Water Pool Filters.

49. Mr. Barton has incurred and will continue to incur medical bills and other expenses as a direct and proximate result of the explosion.

50. Mr. Barton has endured and will continue to endure pain and suffering as a direct and proximate result of the explosion.

51. Mr. Barton has endured and will continue to endure lost enjoyment of life as a direct and proximate result of the explosion.

52. Mr. Barton has lost and will continue to lose wages as a direct and proximate result of the explosion.

53. Mr. Barton has lost earning capacity as a direct and proximate result of the explosion.

54. Mr. Barton is permanently scarred and disfigured as a direct and proximate result of the explosion.

55. Mr. Barton is permanently impaired as a direct and proximate result of the explosion.

56. Mr. Barton seeks to recover for all of his damages allowed under Tennessee law.

57. As a direct and proximate result of the explosion, Plaintiff Jennifer Barton lost the consortium of her spouse, Jason Barton.

58. Mrs. Barton seeks all of her damages allowed under Tennessee law.

WHEREFORE, Plaintiffs Jason and Jennifer Barton, pray for the following relief:

1. A judgment for compensatory damages against Defendant up to a maximum amount under the law of pleading of \$10,000,000, though Plaintiffs may ask for a different amount at trial and believe the decision should ultimately be up to the jury;
2. An award of all discretionary costs and court costs;
3. A jury be empaneled for the trial of this cause; and
4. Such other and further relief as shall be deemed reasonable and necessary.

Respectfully submitted,

/s/ *Brandon E. Bass*

Brandon E. Bass, BPR# 22014

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